

REMARKS

After entry of this Amendment, the pending claims are: claims 1-5, 7 and 9-18. The Restriction Requirement dated June 3, 2009 has been carefully considered. Claims 19 and 20 have been canceled as being directed to a non-elected invention, Applicants hereby explicitly reserve the right to file one or more divisional applications to protect these inventions. Claims 6 and 8 were previously canceled. No new matter has been added. Reconsideration and allowance of the present application in view of the above Amendments and the following remarks is respectfully requested.

In the Restriction Requirement dated June 3, 2009, the Examiner:

- Restricted the application to one of the following inventions as required under 35 U.S.C. 121:
 - I. Claims 1-18, drawn to an intervertebral implant.
 - II. Claims 19 and 20, drawn to a method of spinal stabilization.

RESTRICTION ELECTION

Applicants elected invention I – as recited in claims 1-5, 7 and 9-18 (claims 6 and 8 were previously canceled) - for prosecution in this application. Claims 19 and 20 have been canceled from the present application. Applicants hereby explicitly reserve the right to file one or more divisional applications to protect these inventions.

CONCLUSION

Based upon the above-listed amendments and remarks, Applicants respectfully submit that the present application, including claims 1-5, 7 and 9-18, is in condition for allowance and such action is respectfully requested.

No fee is believed due for this submission. If, however, the Commissioner determines otherwise, the Commissioner is authorized to charge any fees which may now or hereafter be due in this application to Deposit Account No. 19-4709.

In the event that there are any questions, or should additional information be required, please contact Applicant's attorney at the number listed below.

Date: June 19, 2009

Respectfully submitted,

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